

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOANNE DUNNOM	:	CASE NO. C-1-02-0024
	:	
Plaintiff	:	
v.	:	
	:	
THE CITY OF CINCINNATI et. al.,	:	MOTION TO ENFORCE
	:	SETTLEMENT AGREEMENT AND
Defendants.	:	SANCTIONS

The Plaintiff, Joanne Dunnom and the City of Cincinnati, entered into a Settlement Agreement on or about March the 1st of 2004. Pursuant to the Settlement Agreement, the Plaintiff, Joanne Dunnom signed a Full Release and Settlement Agreement (copy attached hereto and marked "Exhibit A.") The document was faxed and sent to Defendant's Counsel, Augustine Giglio on or about March the 9th, pursuant to a letter sent to Counsel on February 27th, 2004.

Since that date, Plaintiff's Counsel has contacted Defense Counsel, Assistant City Solicitor numerous times but has had no response as to payment of the funds or crediting the Plaintiff an adjustment of 80 hours vacation time and 80 hours of sick time as required by the Settlement Agreement.

The Plaintiff's Counsel has contacted Defense Counsel and he has stated that he has no objection to the filing of this Motion for Sanction. (See Affidavit of Ivan Tamarkin, attached hereto and marked "Exhibit B.")

WHEREFORE, Plaintiff demands the Court issue a sanction against the Defendant, City of Cincinnati and David Bennett for refusing to abide by the terms of the Settlement Agreement.

Plaintiff asks that these sanctions include interests on the funds from April the 9th, 2004 until the dates that they are paid at 10% plus reasonable Attorneys fees for the filing of this Motion.

Respectfully submitted,

s/Ivan L. Tamarkin, Esq.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via U.S. Mail upon Augustine Giglio, Room 214, City Hall, 801 Plum Street, Cincinnati, Ohio 45202 on this 14th day of April, 2004.

s/Ivan L. Tamarkin, Esq.

Ivan L. Tamarkin, Esq.